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FEB 05 2004

### **Intellectual Property and Technology Related Causes**

**FACSIMILE TRANSMITTAL SHEET**

**Fax: (248) 223-9522**  
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# OFFICIAL

TO: Examiner Steve M. Varner,  
Art Unit 3635

FIRM: USPTO

FAX NO.: (703) 872-9306

From: Kevin G. Mierzwa

Date: February 2, 2004

Our File No.: YUL-0105 PUS  
09/931,828

Your Ref. No.:

Comments: Attached is Notice of Appeal and Fee Transmittal for  
FY 2004.

Total Pages (incl. Cover sheet): 4

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$165.00)

## Complete if Known

Application Number	09/931,828
Filing Date	August 17, 2001
First Named Inventor	Leon Yulkowski
Examiner Name	Varner, Steve M.
Art Unit	3635
Attorney Docket No.	YUL 0105 PUS

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number: 50-0476

Deposit Account Name: John A. Artz, PC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim. If not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$165.00)

## SUBMITTED BY

Name (Print/Type)	Kevin G. Mierzwa	Registration No. (Attorney/Agent)	38,049	Telephone	248-223-9500
Signature		Date	2/2/04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 108, Alexandria, VA 22304-1080. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

#10/Notice of Appeal

PATENT 2-20-04

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FEB 05 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Leon Yulkowski

Serial No: 09/931,828

Group Art Unit: 3635

Filed: 08/17/2001

Examiner: Varner, Steve M.

Title: FIRE DOOR ASSEMBLY

Attorney Docket No. YUL 0105 PUS

OFFICIAL

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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Signature

Kevin G. Mierzwa

Date: 2/2/04

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RESPONSE

Sir:


Applicant hereby appeals to the Board from the decision of the Primary Examiner,  
mailed August 19, 2003, finally rejecting claims 1-25.

This application is on behalf of a small entity. The fee for filing the Notice of Appeal is  
\$165.00.

1  
(9/931,828)

The Commissioner is hereby authorized to charge payment of the required fee or credit any overpayment to Deposit Account No. 50-0476.

Respectfully submitted,

  
\_\_\_\_\_  
Kevin G. Mierzwa, Reg. No. 38,049  
Attorney for Applicant

Date: \_\_\_\_\_

2/2/04

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